



#7 4/18/02 B
Docket No.: ROWL-9955

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE
AMENDMENT

| | | | |
|-------------|---|-----------------|--------------------|
| Applicant: | McClain, et al. | Docket No.: | ROWL-9955 |
| Serial No.: | 09/578,001 | Group Art Unit: | 1755 |
| Filed: | 05/24/2000 | Examiner: | Wood, Elizabeth D. |
| TITLE: | METHOD AND APPARATUS FOR PRODUCING AN AQUEOUS PAINT COMPOSITION FROM A PLURALITY OF PREMIXED COMPOSITIONS | | |

Box NO FEE
The Commissioner of Patents and Trademarks
Washington, D.C. 20231

RECEIVED
APR 05 2002
TC 1700

Sir:

In the Restriction Requirement mailed March 5, 2002, the Examiner stated that the application contains claims directed to two distinct species of inventions, the first species, claims 1-2, 5-29 and 42-54, which are drawn to a method for making a paint composition, and the second species, claims 3, 4, 30 and 31, which are drawn to a business method. The Examiner required the applicant to elect a single disclosed species for prosecution on the merits.

I HEREBY CERTIFY THAT THE CORRESPONDENCE TO WHICH THIS STATEMENT IS AFFIXED IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE, POSTAGE PAID, AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C., 20231, ON: March 21, 2002

SIGNED: Heather Clark

Heather Clark


Applicants hereby elect for prosecution on the merits the first species, claims 1-2, 5-29 and 42-54, which are drawn to a method for making a paint composition.

Applicants request that claims 3, 4, 30 and 31 be canceled in light of a divisional application.

If any fees, including extension of time fees, are due as a result of this response, please charge Deposit Account No. 19-0513. This authorization is intended to act as a constructive petition for an extension of time, should an extension of time be needed as a result of this response. The examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

Date: March 21, 2002

By 
Albert L. Schmeiser
Reg. No. 30,681

SCHMEISER, OLSEN & WATTS LLP
18 East University Drive, #101
Mesa, AZ 85201
(480) 655-0073



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No.: ROWL-9955

1755

Response Transmittal

In re: Application of: McClain

Serial No.: 09/578,001

Filed: 05/24/00

For: **METHOD AND APPARATUS FOR PRODUCING AN
AQUEOUS PAINT COMPOSITION FROM A
PLURALITY OF PREMIXED COMPOSITIONS**

Box No Fee
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Transmitted herewith for filing in the above-identified Application is a:
1. Election.

☐ CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

☒ CERTIFICATE OF MAILING

I hereby certify that I am depositing the enclosed or attached correspondence with the United States Postal Service as first class mail in an envelope addressed to Box No Fee, Commissioner of Patents and Trademarks, Washington, D.C. 20231,

on March 21, 2002

Heather Clark

☒ No additional fee is required.☐ The fee has been calculated as shown below:

| (Col. 1) | (Col. 2) | (Col. 3) |
|--|----------|---------------------------------------|
| CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR |
| TOTAL 40 | MINUS | 60 |
| INDEPENDENT 4 | MINUS | 6 |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME | | |

(Col. 3)

Small Entity

| RATE | ADDITIONAL FEE |
|------------|-------------------|
| x \$ 9.00= | \$.00 |
| x \$42.00= | \$.00 |
| \$ 55.00 | \$.00 |
| Total | \$.00 |

☐ A check in the amount of _____ to cover fee is enclosed.☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0513. A duplicate copy of this sheet is enclosed.☒ Any additional filing fees required under 37 C.F.R. §1.16.☒ Any patent application processing fees under 37 C.F.R. §1.17.

Date: March 21, 2002

Respectfully submitted,

Schmeiser, Olsen & Watts LLP
18 East University Drive, #101
Mesa, Arizona 85201
Tel: (480) 655-0073

By:
Albert L. Schmeiser
Registration No.: 30,681

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